

REMARKS

Claim 1 is amended, and Claims 14-17 are added. Claims 1-17 are pending in the application.

Drawings

Applicant has included a replacement sheet for FIG. 1 of the drawings. The label "PRIOR ART" has been inserted beneath the figure number to comply with the labeling requirement of the Office Action.

Claim Rejections – 35 USC §112

The Office Action rejected claims 1-13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The Office Action stated:

Regarding claim 1, it is not clear if "an actuator motor" at line 8 is the actuator motor at lines 2-3. It is neither clear if "said housing" at line 9 refers to "a frame" at line 2.

Regarding claim 3, it is not clear if "a control circuit" at line 2 is a different one from the control circuit recited in claim 1. Are there two control circuits?

Claim 1 has been amended for clarification and no longer references the "actuator motor" at lines 2-3 or the "housing" at line 9. Claim 3 has been amended to remove uncertainty about the control circuit. Accordingly, Applicant respectfully requests that the rejection of Claims 1-13 under 35 U.S.C. §112 be withdrawn.

Claim Rejections – 35 USC §102

Claims 1-13 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,191,512 to Lekeux. The Office Action stated:

Regarding claims 1-13, Lekeux et al. shows all of the limitations of the claimed invention.

Lekeux does not anticipate the claimed invention because the reference fails to disclose each of the elements of Claim 1. Lekeux does not disclose *a frame having a first at least partially closed chamber, a second at least partially enclosed chamber, and a passage connecting said first chamber with said second chamber*. The drawings of Lekeux do not illustrate the inner configuration of the housing adjacent the motor, and no discussion is made of whether *a first at least partially closed chamber, a second at least partially enclosed second chamber, and a passage connecting said first chamber with said second chamber* are present. Lekeux further fails to disclose *a power output shaft, secured to said frame such that said power output shaft extends into said first chamber*. Again, Lekeux does not illustrate the inner configuration of the housing, so no teaching is made of *a power output shaft that extends into said first chamber*. Lekeux further fails to disclose *a control circuit mounted in said second chamber, said control circuit having circuitry to transfer an externally supplied electrical power from within said second chamber to within said first chamber, said control circuit having circuitry to receive a sensor signal transferred from within said first chamber to within said second chamber*.

Because the Lekeux reference fails to disclose each of the elements of Claim 1, Claims 2-13, which depend from Claim 1, are not anticipated in light of the Lekeux reference. Accordingly, Applicant respectfully requests that the rejection of Claims 1-13 under 35 U.S.C. § 102(b) be withdrawn.

Claims 1-5, and 7 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,232,684 to Haag. The Office Action stated:

Regarding claim 1, Haag et al. shows an integral actuator (20), comprising:

A frame (22) constructed and arranged for securing an actuator motor (34) having an output shaft (40), having a first at least partially closed chamber (30) for receiving said output shaft, a bearing support for supporting a driven member

(36), and at least a partially enclosed second chamber (where 84 located), and a passage (28) connecting said first chamber with said second chamber;

An actuator motor (34) with a power output shaft (40), secured to said housing such that said power output shaft extends into said first chamber (30);

A control circuit (84) mounted in said second chamber, said control circuit having circuitry for selectively transferring an externally supplied electrical power, through said passage, to said actuator motor; and

A power translation member (38) connected to said output shaft.

Regarding claims 2-5 and 7, it is noted that Haag et al. also shows all of the limitations of the claimed invention.

Haag does not anticipate the claimed invention because the reference fails to disclose each of the elements of Claim 1. Haag fails to disclose *a control circuit mounted in said second chamber, said control circuit having circuitry to transfer an externally supplied electrical power from within said second chamber to within said first chamber, said control circuit having circuitry to receive a sensor signal transferred from within said first chamber to within said second chamber*. The Office Action identifies gear chamber (30) as a *first chamber* and points to the area in which printed circuit board (84) is located as being a *second chamber*. Haag does not, however, teach circuitry to transfer an externally supplied electrical power *from within said second chamber to within said first chamber*. The external power terminals of Haag are located just outside gear chamber (30) and power flows to the motor, which is adjacent printed circuit board (84). Therefore, Haag does not disclose the transfer of electrical power *from within said second chamber to within said first chamber*. Haag further fails to teach circuitry to receive a sensor signal transferred *from within said first chamber to within said second chamber*. In fact, Haag fails to mention the transfer of any sensor signals from within the gear chamber (30).

Because the Haag reference fails to disclose each of the elements of Claim 1, Claims 2-5, and 7, which depend from Claim 1, are not anticipated in light of the Haag reference.

Accordingly, Applicant respectfully requests that the rejection of Claims 1-5, and 7 under 35 U.S.C. § 102(b) be withdrawn.

Claims 1-5, and 7 were rejected under 35 USC §102(e) as being anticipated by U.S.

Patent No. 6,452,297 to Yamamoto. The Office Action stated:

Regarding claim 1, Yamamoto et al. shows an integral actuator (1), comprising:

A frame (3) constructed and arranged for securing an actuator motor (2) having an output shaft, having a first at least partially closed chamber (where 22 located) for receiving said output shaft, a bearing support (33) for supporting a driven member (28), and at least a partially enclosed second chamber (where 41b located), and a passage (from 42 to bearing 25) connecting said first chamber with said second chamber;

An actuator motor (2) with a power output shaft, secured to said housing such that said power output shaft extends into said first chamber;

A control circuit (41b) mounted in said second chamber, said control circuit having circuitry for selectively transferring an externally supplied electrical power, through said passage, to said actuator motor; and

A power translation member (28) connected to said output shaft.

Regarding claims 2-5 and 7, it is noted that Yamamoto et al. also shows all of the limitations of the claimed invention.

Yamamoto does not anticipate the claimed invention because the reference fails to disclose each of the elements of Claim 1. Yamamoto fails to disclose *a control circuit mounted in said second chamber, said control circuit having circuitry to transfer an externally supplied electrical power from within said second chamber to within said first chamber, said control circuit having circuitry to receive a sensor signal transferred from within said first chamber to within said second chamber*. The Office Action identifies the area in which reduction gear device (22) is located as a *first chamber* and the area in which insertion plate (41b) is located as being a *second chamber*. Yamamoto does not, however, teach circuitry to transfer externally supplied electrical power *from within said second chamber to within said first chamber*. The

bearing (25) used to support the rotary shaft (7) would appear to block any transfer of electrical power between what the Office Action identifies as first and second chambers. Yamamoto further fails to teach circuitry to receive a sensor signal transferred *from within said first chamber to within said second chamber*. Although Yamamoto mentions the use of a rotation sensor, the sensor is not shown, and there is no indication or suggestion that the sensor would be positioned such that a sensor signal is transferred *from within said first chamber to within said second chamber*.

Because the Yamamoto reference fails to disclose each of the elements of Claim 1, Claims 2-5, and 7, which depend from Claim 1, are further not anticipated in light of the Yamamoto reference. Accordingly, Applicant respectfully requests that the rejection of Claims 1-5, and 7 under 35 U.S.C. § 102(e) be withdrawn.

CONCLUSION

Applicant respectfully submits that the pending Claims 1-17 are in condition for allowance and such a Notice is respectfully requested. The Examiner is invited to call the undersigned at the below-listed telephone number if, in the opinion of the Examiner, such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

DATE: 1/24/05



Gary B. Solomon
Reg. No. 44,347
PATTON BOGGS LLP
2001 Ross Avenue
Suite 3000
Dallas, Texas 75201
TEL: 214- 758-6611
FAX: 214-758-1550

ATTORNEYS FOR APPLICANT